



**SUPPLEMENTAL AGENDA #1
HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY
BOARD OF DIRECTORS MEETING
TUESDAY, FEBRUARY 18, 2014 6:00 PM**

11. AGENCY BUSINESS

- B. A RESOLUTION OF CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY, HALLANDALE BEACH, FLORIDA; AMENDING THE HBCRA POLICY MANUAL TO INCLUDE PEMBROKE ROAD IN THE TARGET AREAS ELIGIBLE FOR FACADE GRANTS OFFERED BY THE AGENCY AS PART OF THE BUSINESS INCENTIVE LOAN PROGRAM; AND PROVIDING AN EFFECTIVE DATE. (STAFF: CRA DIRECTOR) (SEE BACKUP)



400 South Federal Hwy
Hallandale Beach, FL 33009

Hallandale Beach Community Redevelopment Agency Board of Directors Meeting Agenda Cover Memo

Meeting Date:	February 18, 2014		Item Type: <small>(Enter X in box)</small>	Resolution <div style="text-align: center;">X</div>	Ordinance	Other	
Fiscal Impact: <small>(Enter X in box)</small>	Yes	No	Ordinance Reading: <small>(Enter X in box)</small>	1st Reading		2nd Reading	
		X					
Funding Source:	N/A		Public Hearing: <small>(Enter X in box)</small>	Yes	No	Yes	No
					X		
Account Balance:	N/A		Advertising Requirement: <small>(Enter X in box)</small>	Yes		No	
						X	
Project Number :	N/A		RFP/RFQ/Bid Number:	N/A			
Contract/P.O. Required: <small>(Enter X in box)</small>	Yes	No	Strategic Priority <small>(Enter X in box)</small> Capital Improvements Goal 1 - Undertake Total Improvements of Public Realm <input checked="" type="checkbox"/> Goal 2 - Promote Public/Public and Public/Private Partnership <input type="checkbox"/> Promote Projects with Large-Scale Impacts Goal 1 - Issue a Request for Proposals (RFP) for NW infill Housing <input type="checkbox"/> Goal 2 - Issue a Request for Qualifications (RFQ) for Dixie Highway/Foster Road parcel <input type="checkbox"/> Priority Area: North West Quadrant <input checked="" type="checkbox"/> FEC Corridor <input checked="" type="checkbox"/> Southwest Quadrant <input type="checkbox"/> Northeast Quadrant <input type="checkbox"/> Southeast Quadrant <input type="checkbox"/>				
Sponsor Name:	Renee C. Miller, HBCRA Executive Director		Executive Director:	Daniel Rosemond, CRA Director			



Short Title:

A RESOLUTION OF CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY, HALLANDALE BEACH, FLORIDA; AMENDING THE HBCRA POLICY MANUAL TO INCLUDE PEMBROKE ROAD IN THE TARGET AREAS ELIGIBLE FOR FACADE GRANTS OFFERED BY THE AGENCY AS PART OF THE BUSINESS INCENTIVE LOAN PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

Staff Summary:

Background

At its October 14, 2013 Board meeting, the HBCRA Board was presented with the draft of a new policy manual proposed by Staff. The manual sought to simplify and condense the various administrative policy memos into a single document.

When Staff made the presentation of the document, some Board members expressed desired amendments to the document and that those amendments be brought back to the Board for their review and approval at the next scheduled meeting. One such amendment had to do with reinstituting a one-time façade grant (as part of the proposed Business Incentive Loan Program). During discussion of the proposed policies, the Board directed staff it wanted the one-time façade grant to be made available to businesses within the business target areas identified in the draft policies (page 5). The target areas are:

- Hallandale Beach Boulevard between I-95 and U.S. 1
- Foster Road
- FEC Corridor

At the November 18, 2013 meeting, Staff brought back the draft policy document incorporating the amendments expressed by the Board at the previous month's meeting. Upon review of the revised document, the Board had additional observations and reached consensus on the following items:

- To direct staff to amend the Policy manual to include language that will allow the Agency to exercise its right of first refusal on properties that may be facing foreclosure
- To direct staff to remove the matching grant criteria for Mini-grants that are available for available for façade improvements
- To amend the Policy Manual to clarify the requirements for the Home replacement program indicating that as long as the property owner remains in the property for five (5) years then up to \$75,000 is 100% forgiven.

Staff indicated that the amended language regarding properties that may be facing foreclosure would be brought back to the Board at a later time when the real estate section of the policy



manual is addressed. The other two items were addressed in the approved version of the Policy Manual.

Current Situation

During the time of the Board's review of the policy manual, Staff continued to receive applications for the various programs administered by the CRA. It is noted that for the most part, the tenets of the CRA programs remained the same as outlined in the individual administrative policy memos. However, the proposed changes to the programs for businesses did impact some businesses within the CRA district. As noted in the background section of this staff report, the one-time façade grant is now limited to businesses in the target areas. The target areas were identified based on the Board's comments and goals established during its visioning session on February 5, 2013.

Since approval of the new policy manual, Staff has received two (2) façade grant applications for businesses located on Pembroke Road. While reviewing the applications, it was determined that the addresses are outside of the target areas and therefore not eligible for the grant. Notwithstanding, Staff believes that the Board's intent was to assist as many businesses as possible, particularly those in the west part of the CRA district. Therefore, Staff recommends that page 5 of the policy manual be amended to include Pembroke Road in the target areas.

Should the Board approve this recommendation, Staff will finalize its review of the grant applications for the businesses on Pembroke Road and anticipates their approval (barring no outstanding obligations to the City and ensuring approval of improvements by property owners).

Fiscal Impact

None.

Why action is necessary

The Hallandale Beach CRA Board of Directors sets the policies of the Community Redevelopment Agency. As such, approval and/or amendment of the Policy Manual must be approved by the Board.

Proposed Action:

That the Board approve the attached Resolution amending the HBCRA Policy Manual to Include Pembroke Road in the target areas eligible for facade grants offered by the Agency as part of the Business Incentive Loan Program.

Attachment(s):

- Exhibit 1 – Resolution
- Exhibit 2 – Excerpt from Policy Manual – Page 5 to 9
- Exhibit 3 – Minutes of CRA Meetings (10/14/13 & 11/18/13)

1 EXHIBIT 1

2 RESOLUTION NO. 2014-

3 A RESOLUTION OF CHAIR AND BOARD OF DIRECTORS
4 OF THE HALLANDALE BEACH COMMUNITY
5 REDEVELOPMENT AGENCY, HALLANDALE BEACH,
6 FLORIDA; AMENDING THE HBCRA POLICY MANUAL TO
7 INCLUDE PEMBROKE ROAD IN THE TARGET AREAS
8 ELIGIBLE FOR FACADE GRANTS OFFERED BY THE
9 AGENCY AS PART OF THE BUSINESS INCENTIVE LOAN
10 PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

11
12 WHEREAS, the Board of Directors of the Hallandale Beach Community Redevelopment
13 Agency ("HBCRA") previously approved the HBCRA Policy Manual, which features program
14 offerings including the reinstitution of the one-time facade grant as part of the Business Incentive
15 Loan Program (the "Facade Grant"); and

16 WHEREAS, page 5 of the Policy Manual indicates that the Facade Grant be made
17 available to businesses within the following business target areas: (a) Hallandale Beach
18 Boulevard between I-95 and U.S. 1, Foster Road, and the FEC Corridor; and

19 WHEREAS, based upon the receipt of two (2) Facade Grant applications for businesses
20 located on Pembroke Road and in an effort to assist as many businesses as possible, particularly
21 those in the west part of the HBCRA district, HBCRA Staff recommends that the HBCRA Board
22 amend page 5 of the Policy Manual to include Pembroke Road in the target areas; and

23 WHEREAS, the Board of Directors of the HBCRA desires to amend page 5 of the Policy
24 Manual as recommended by HBCRA Staff.

25 NOW, THEREFORE, BE IT RESOLVED BY THE CHAIR AND BOARD OF DIRECTORS
26 OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY:

27 Section 1. Recitals. The recitals in the whereas clauses are true and correct, and
28 incorporated into this Resolution.

29 Section 2. Approval of Amendment to Page 5 of HBCRA Policy Manual. Page 5 of the
30 HBCRA Policy Manual is hereby amended to include Pembroke Road in the target areas for
31 Facade Grants as part of the Business Incentive Loan Program.

32 Section 3. Effective Date. This resolution shall take effect immediately upon approval.
33

34 PASSED AND ADOPTED by a _____ vote of the Board of the Hallandale
35 Beach Community Redevelopment Agency, this ____ day February, 2014.

36

ATTEST:

HALLANDALE BEACH COMMUNITY
REDEVELOPMENT AGENCY

SHEENA JAMES, MBA, CMC, CRA CLERK

JOY COOPER, CHAIR

APPROVED AS TO FORM:

GRAY ROBINSON, P.A., CRA ATTORNEY

37

Programs for Business

BUSINESS INCENTIVE PROGRAM

Program Overview

Under the business incentive program, referred to as the Commercial Code and Business Assistance Program in the CRA's Implementation Plan, the Hallandale Beach CRA provides loans at 0-3% APR for exterior rehabilitation, expansion and/or relocation costs. The program offers assistance of up to \$50,000 for business owners currently leasing their storefront and up to \$200,000 for commercial property owners. The loan will cover up to 80% of the total project cost. Awards are given on a first come, first serve basis, subject to Board approval.

The program includes the added incentive of a one-time grant up to \$10,000 for exterior rehabilitation of a commercial property within the target areas as determined by the HBCRA Board (outlined below).

HBCRA also recognizes that some projects will be of a scale which exceeds the program's \$200,000 limit. Should a development which is commercial or mixed use in nature clearly demonstrate their need for greater financial assistance, and/or that the project will have a substantial positive effect on the priorities of the Board, the interested party may apply under this program for additional funding above the limit contingent on board approval and the CRA Implementation Plan. Benefits of the project that must be demonstrated include but are not limited to: increase in the tax base, creation of affordable housing, and job creation.

The property must be located within the Hallandale Beach Community Redevelopment Agency district as outlined in Appendix II. Preference will be given to properties located within the target areas as determined by the HBCRA Board.

Business Target Areas:

- Hallandale Beach Boulevard between U.S.1 and I-95
- Foster Road
- FEC corridor

These areas are also outlined in the CRA map in Appendix II.

Eligible Uses

Assistance under this program is divided into two categories, Code Compliance and Aesthetic Improvements as outlined below:

Code Compliance:

- Correction of existing or pending code or ordinance violations

- Handicap accessibility improvements
- Repair or replacement of roofing
- Repair or replacement of windows and doors as storefront
- Repair of walkways or entryways
- Parking repair including drainage, resurfacing and re-striping
- Repair/removal of blighted exterior (ex. Graffiti)
- Other code issues not listed above

Aesthetic Improvements:

- Removal/Replacement of inappropriate façade covering material
- Repair/replacement of awnings or canopies
- Exterior painting and cleaning
- Repair, replacement or installation of exterior lighting
- Repair or cleaning of exterior masonry or stucco
- New or upgraded signage
- Fencing and landscaping, including sod
- Space build-out
- Security/Alarm System
- Other improvements not listed above

Costs may include other work necessary to complete the project, including:

- Architectural/engineering fees for the preparation of construction drawings
- Construction supervision
- Permits and inspection fees

Eligible Participants

Eligible participants may be individuals, sole proprietorships, partnerships or any other legally identified form of a for profit business. Both property owners and lessees are eligible subject to meeting criteria for ratio of CRA assistance to applicant investment, location in targeted areas, and job creation (if any).

Government agencies and owners of properties used for the general conduct of government are not eligible to participate in this program. Properties used primarily as residences, including businesses operating out of a residence, are also ineligible. Bars and adult entertainment businesses are not eligible.

Owners of more than one eligible property may apply for assistance for each eligible property. Each application will be considered independently.

Property Eligibility

If the applicant is the property owner:

Properties with multiple business tenants (such as shopping centers or strip malls) must seek to make improvements across the entire property so that it is done as one project.

If the applicant is a lessee:

All of the requirements for a property owner are also applicable to a lessee. An applicant who is a lessee must also provide an executed lease agreement and obtain written consent for the improvements from the property owner.

Loan Terms

The loan amount will accrue interest at an annual interest rate of zero to three percent (0-3%) depending upon applicant's financial assessment completed by the underwriter. The loan term will be up to ten years.

Payments are to be made monthly or quarterly. There is no prepayment penalty fee if the applicant decides to pay the loan back in less than ten years.

Forgiveness of a portion of the loan can be attained if the recipient creates and retains full time jobs within the business receiving assistance. The loan will be forgiven at a rate of \$10,000 per full time job that is created and retained for a period of five (5) years, with a maximum benefit of \$50,000. If the new jobs are not retained, the recipient will be required to repay the loan on a prorated basis. The calculation will be based on the difference between the anticipated and actual number of jobs that were created and retained.

For property owners, funding will be secured by their choice of a mortgage lien or Personal Guaranty. For lessees, funding will be secured by a Personal Guaranty or a Promissory Note.

If a recipient fails to fulfill any of its obligations as set forth in the loan agreement, and such failure continues for 10 business days following written notice from the CRA to the recipient, an event of default shall be deemed to have occurred thereby entitling the CRA to all rights and remedies available to it by law. An event of default shall include, without limitation, the failure of the recipient to create the required number of new jobs, failure to make two consecutive scheduled loan payments or any other requirements as stipulated in the loan agreement. This includes but is not limited to, immediate repayment of the loan in full plus all accrued and unpaid interest. Interest shall accrue at the default rate of 10 percent per day beginning on the day that the recipient received notice of its default and ending when it is paid in full.

Other Conditions

All property taxes must be current in order to apply and remain current while receiving assistance.

Any and all projects involving work that has already commenced prior to the execution of a contract with HBCRA will not be funded.

HBCRA assistance will not be placed below a second lien position.

HBCRA does not fund sweat equity. Therefore all work must be done by a licensed general contractor.

Funding for any project must not be used for religious purposes.

Approval is made by the HBCRA board. The HBCRA and its Board reserve the right to reject or modify awards based on criteria specified, funding availability or other justifiable causes. Any unapproved changes will void the loan agreement. If the recipient decides to change the scope of the project after approval, they must contact the HBCRA and obtain written approval from the CRA Director before performing previously unapproved activities.

Any applicant that is delinquent on their assistance from the HBCRA is not eligible for any further assistance.

Exhibit 3

MINUTES OF THE COMMUNITY
REDEVELOPMENT AGENCY BOARD OF
DIRECTORS, CITY OF HALLANDALE BEACH,
FLORIDA, HELD ON MONDAY, OCTOBER 14,
2013 AT 6:00 P.M., CITY COMMISSION
CHAMBERS, 400 S. FEDERAL HIGHWAY,
HALLANDALE BEACH, FLORIDA 33009

1. CALL TO ORDER

Chair Cooper called the meeting to Order at 6:05 P.M.

2. ROLL CALL

Directors Julian and Sanders and Chair Cooper, Acting Executive Director Nydia Rafols-Sallabery and HBCRA Attorney Steve Zelkowitz, Gray Robinson PA – All Present.

Director Lazarow arrived at 6:06 P.M.

Vice Chair Lewy arrived at 6:10 P.M.

3. PLEDGE OF ALLEGIANCE

4. PUBLIC PARTICIPATION - (Speakers must sign-in with the Clerk) (To be heard at 6:00 P.M.)

Rob Raymond, 469 Sunset Drive, Hallandale Beach, spoke concerning recent parking restrictions implemented along NE 1st Avenue/Fashion Row Arts District and asked whether or not the Board of Directors had approved these restrictions.

At the request of Chair Cooper, Acting Executive Director Rafols explained that an administrative decision was made for the implementation of parking restrictions for the commercial area along NE 1st Avenue/Fashion Row Arts District to allow a maximum parking time of three (3) hours. She added that the parking restrictions were implemented in an effort to ensure that patrons have available parking throughout the day and to increase accessibility by patrons.

Chair Cooper noted that she was in agreement with the parking restrictions in place for NE 1st Avenue/Fashion Row Arts District.

Director Lazarow spoke in opposition of establishing parking restrictions along NE 1st Avenue/Fashion Row Arts District noting that it is necessary to encourage patrons to visit the area rather than to deter them. Answering questions posed by Director Lazarow, Acting Executive Director Rafols outlined the enforcement procedures for the parking restrictions in place noting that vehicles will not be towed but rather a citation will be given to those who are in violation of the regulations.

Judith Selz, 717 Layne Blvd., Hallandale Beach, questioned whether or not there are plans to relocate the Hepburn Center to the Dixie Highway/Foster Road site. Ms. Selz spoke in support

of the relocation of the Austin Hepburn Center and asked questions regarding the timeline for issuance of the Request for Proposal (RFP) for the Dixie/Foster site and the release of the plans for the proposed structure. Ms. Selz requested answers to the following questions: 1. Did the RFP specifically address the desire to move the City's social services agency to the Dixie Foster site? 2. During the mandatory pre-bid meeting, was the information shared with the potential bidders regarding the desire to move the City's social services agency to the site? 3. If so, would potential buyers or renters be able to accommodate the impact of long hours of use by Human Services, and meet the need for parking and accessibility that may be required?

Chair Cooper advised that the request for Public Records has been noted by the Clerk and will be processed accordingly.

At the request of Chair Cooper, Daniel Rosemond, CRA Director/Deputy City Manager clarified that there is a possibility for the relocation of the Austin Hepburn Center and that the details of the redevelopment plans will be evaluated by the RFP Evaluation Committee and by the Board of Directors once presented for their consideration.

Keith London, 613 Oleander Drive, Hallandale Beach, requested the following public records: copy of the Microsoft Excel spreadsheet used to track Public Records requests for the HBCRA and the City for the last year; electronic copies of all recent correspondence between the Broward County Office of the Inspector General (OIG), the HBCRA and the City, including copies of the OIG's letter addressed to Mayor/Chair Joy Cooper dated September 6, 2013; letter/public records request from HBCRA Attorney Steve Zelkowitz addressed to the OIG dated September 30, 2013; and response letter from the City/HBCRA addressed to the OIG dated October 4, 2013. Additionally, Mr. London requested a copy of the OIG's response to the HBCRA's Public Records request as soon as it becomes available.

Chair Cooper advised that the request for Public Records has been noted by the Clerk and will be processed accordingly.

HBCRA Attorney Zelkowitz noted that the follow-up letter sent to the OIG is a request to view the public record, and that once the files are viewed a hard copy of the records may or may not be requested.

5. DIRECTOR COMMUNICATIONS - Items not on the Agenda

A. DIRECTOR JULIAN

Director Julian had no Communications.

B. DIRECTOR LAZAROW

Answering questions posed by Director Lazarow, CRA Director Rosemond provided a status update regarding the FY2013 Tax Increment Finance (TIF) payment to the Village at Gulfstream Park noting that the payment has not yet been disbursed pending additional financial information from the Village at Gulfstream Park.

Answering questions posed by Director Lazarow, CRA Director Rosemond stated that the HBCRA does not offer stand-alone assistance programs for sod and fence replacement; however, these activities may be included as part of the Neighborhood Improvement Program (NIP).

Answering questions posed by Director Lazarow, CRA Director Rosemond confirmed that informational pamphlets regarding HBCRA improvement and incentive programs are distributed to residents and business owners during the Code Enforcement process.

Answering questions posed by Director Lazarow, CRA Director Rosemond stated that the Quarterly Financial Report for the first quarter of Fiscal Year 2013/2014 will be provided to the Board of Directors in January 2014.

C. DIRECTOR SANDERS

Director Sanders had no Communications.

D. VICE CHAIR LEWY

Vice Chair Lewy had no Communications.

E. CHAIR COOPER

Chair Cooper had no Communications.

6. EXECUTIVE DIRECTOR COMMUNICATIONS - Items not on the Agenda

Acting Executive Director Rafols had no Communications.

7. HBCRA ATTORNEY COMMUNICATIONS - Items not on the Agenda

HBCRA Attorney Zelkowitz had no Communications.

8. APPROVAL OF DRAFT MINUTES

A. SEPTEMBER 23, 2013 REGULAR BOARD OF DIRECTORS MEETING

MOTION BY VICE CHAIR LEWY, SECONDED BY DIRECTOR JULIAN, TO APPROVE THE DRAFT MINUTES OF THE SEPTEMBER 23, 2013 REGULAR BOARD OF DIRECTORS MEETING. The Motion carried on a 5/0 Voice vote.

9. CONSENT AGENDA

NONE

10. RESOLUTIONS/AGENCY BUSINESS

- A. A RESOLUTION OF CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY, HALLANDALE BEACH, FLORIDA; APPROVING THE HBCRA POLICY MANUAL FOR ALL INCENTIVE PROGRAMS OFFERED BY THE AGENCY; AND PROVIDING AN EFFECTIVE DATE. (STAFF: HBCRA DIRECTOR/DEPUTY CITY MANAGER) (SEE BACKUP)**

ON SEPTEMBER 23, 2013 THE BOARD OF DIRECTORS REACHED CONSENSUS TO CONTINUE THE ITEM TO THE OCTOBER 14, 2013 MEETING.

CRA Director Rosemond gave a presentation regarding the existing and proposed requirements of the HBCRA program policies noting that staff recommends the Board of Directors streamline and simplify the policies by creating a single policy manual. Additionally, CRA Director Rosemond answered questions posed by the Board of Directors.

The HBCRA Board of Directors discussed the proposed policy changes within the following categories and reached the following consensus:

Business Programs

Chair Cooper suggested amending the policy manual to include information regarding the procedures for Large Scale Development which would be outside the scope of the proposed policy such as those requiring Tax Increment Financing (TIF) payments.

Consensus:

- To direct staff to include information within the policy manual regarding requirements and procedures for large scale redevelopment projects and TIF Programs.
- To direct staff to provide the Board of Directors with a sample amortization schedule for comparison utilizing various scenarios for the proposed loan terms on a quarterly and monthly basis.

Answering questions posed by Director Lazarow, HBCRA Attorney Zelkowitz spoke regarding possible mechanisms for securing business loans for non-property owners. Attorney Zelkowitz noted that it was imperative to ensure the involvement of the property owner during the loan application process, and recommended a Personal Guarantee or Promissory Note requirement and a certification indicating the property owner is aware of the loan application; aware of the proposed modifications to the building; and that terms of the lease are being met.

Consensus:

- To direct staff to amend the Policy Manual to include language requiring a Personal Guarantee or Promissory Note for business owners that are not property owners. For property owners applying for a loan, they should have the option of either a mortgage lien or a Personal Guarantee.

Chair Cooper recessed the HBCRA Board of Directors meeting at 7:27 P.M. to move to the City Commission/City Manager Workshop Special Meeting.

Chair Cooper reconvened the HBCRA Board of Directors meeting at 8:11 P.M.

The HBCRA Board of Directors resumed discussion regarding the proposed policy changes to the Business Programs.

Director Lazarow spoke in opposition of the proposed changes to the Business Program policies noting that the existing loan terms adequately meet the needs of the community and its business owners.

The Board of Directors discussed the need for simplifying the loan documents to reduce ambiguity.

The Board of Directors discussed the feasibility for including a loan forgiveness provision within loan terms for Business Programs.

Answering questions posed by Vice Chair Lewy, HBCRA Attorney Zelkowitz stated that surrounding CRAs have a varied mix of programs including grants, loans and/or both.

Consensus:

- To direct staff to amend the policy manual to include language provisions for both a 15% waiver of loan principal and/or a 0-3% repayable loan for up to 10 years; and to include language indicating the target areas

Director Lazarow, Director Sanders and Chair Cooper spoke in support of continuing a separate Façade Exterior Grant Program.

CRA Director Rosemond provided background information regarding the advantages and disadvantages of grant programing.

Consensus:

- To direct staff to amend the policy manual to include a strategic one-time grant for properties located within targeted corridors within the CRA of up to \$10,000 for Façade improvements; this grant will not preclude the applicant from applying to the Business Loan Program at a later date.

Resident Programs

The Board of Directors discussed the proposed changes to the Neighborhood Improvement Program.

Consensus:

- *Page 8, Programs for Residents, Eligible Participants* to include language noting the requirements in accordance with the Broward County Median Income table.

Answering questions posed by Director Lazarow, CRA Director Rosemond noted that \$500,000 is budgeted for Affordable Housing Programs FY 2013/2014.

Director Sanders questioned what should happen if the loan recipient deceases prior to repayment of the loan or prior to meeting the requirements for the 100% loan forgiveness.

Consensus:

- To direct staff to amend the policy manual to include language that will protect homesteaded property in the event that the loan recipient deceases prior to repayment of the loan, or prior to meeting the requirements for the 100% loan forgiveness.

Director Sanders spoke in support of implementing the Replacement Home Program and suggested utilizing local labor in the form of a community project in order to reduce the cost of the home.

CRA Director Rosemond spoke concerning the need to provide a home warranty.

Director Julian spoke in support of implementing the Replacement Home Program and suggested utilizing model structured homes in order to reduce the cost of the home.

Director Lazarow stated that although she is supportive of the Replacement Home Program, it is necessary to conduct further research.

First Time Homebuyer

Consensus:

- To direct staff to include a full disclosure of the fees associated with all the HBCRA Programs as part of the Policy Manual.

Director Lazarow noted her concern that adequate funds might not have been budgeted to fund the affordable housing programs being proposed indicating that the HBCRA may have to fund subsidies for the proposed in-fill Affordable housing project currently in process.

Chair Cooper noted that based on the 2010 Census and the Affordable Housing Study, it is unrealistic to believe that all the buyers of the in-fill affordable housing project will be residents already residing within the CRA.

Director Sanders spoke on the need to ensure the prices for the proposed In-fill Affordable Housing are maintained at a level that will encourage participation by Hallandale Beach residents.

Consensus:

- To direct staff to amend the policy manual as discussed; and to bring back for final approval at the November 18, 2013 HBCRA Board of Directors Meeting

Answering questions posed by Director Sanders, CRA Director Rosemond noted that both RFP#2012-2013-CRA004, Public/Private Development of CRA Property at Foster Road and North Dixie Highway and RFP#2012-2013-CRA005, Affordable Housing Services, are still within the Cone of Silence, and the details of the proposals cannot be discussed at this time.

The Board of Directors discussed the timeline for presentation of staff's recommendations for RFP#2012-2013-CRA004, Public/Private Development of CRA Property at Foster Road and North Dixie Highway.

Additionally, the Board of Directors discussed the need to finalize negotiations with DeAngelo Development for the In-Fill Affordable Housing Project (RFP#FY2012-2013-CRA003).

CRA Director Rosemond noted that execution of the agreement is pending receipt of the financial documents required from the developer.

MOTION BY DIRECTOR SANDERS, SECONDED BY VICE CHAIR LEWY, TO DIRECT STAFF TO FINALIZE NEGOTIATIONS WITH DEANGELO DEVELOPMENT FOR THE IN-FILL AFFORDABLE HOUSING PROJECT; TO ESTABLISH A DEADLINE FOR RESOLUTION OF PENDING ISSUES WITH THE DEVELOPER ON OR BY NOVEMBER 18, 2013; IF NOT, STAFF IS DIRECTED TO PROCEED WITH THE PROJECT. The Motion carried on a 5/0 Voice vote.

11. ADJOURN

There being no further business before the Board of Directors, Chair Cooper adjourned the Meeting at 11:00 P.M.

RESPECTFULLY SUBMITTED: Joy F. Cooper, Chair

RECORDING SECRETARY: Sheena James, Clerk to the
HBCRA Board

APPROVED BY BOARD: November 18, 2013

MINUTES OF THE COMMUNITY
REDEVELOPMENT AGENCY BOARD OF
DIRECTORS, CITY OF HALLANDALE BEACH,
FLORIDA, HELD ON MONDAY, NOVEMBER 18,
2013 AT 6:00 P.M., CITY COMMISSION
CHAMBERS, 400 S. FEDERAL HIGHWAY,
HALLANDALE BEACH, FLORIDA 33009

1. CALL TO ORDER

Chair Cooper called the Meeting to Order at 6:10 P.M.

2. ROLL CALL

Directors Julian, Lazarow and Sanders, Vice Chair Lewy and Chair Cooper, Acting Executive Director Nydia Rafols and Gary Resnick, Gray Robinson PA – All Present.

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS AND REPORTS

- A. DISCUSSION REGARDING THE APPLICABILITY OF FLEXIBILITY UNITS WITHIN THE REGIONAL ACTIVITY CENTER (RAC). (STAFF: DIRECTOR OF DEVELOPMENT SERVICES) (SEE BACKUP).

Althea Jefferson, Planning & Zoning Manager, gave a presentation regarding the City's flexibility units, reserve units and the allocation of flexibility units within the Regional Activity Center and the City's ability to recover said units. Additionally, Ms. Jefferson answered questions posed by the Board of Directors.

Answering questions posed by Director Sanders, Acting Executive Director Rafols explained that the information was being presented as requested by the HBCRA Board of Directors and that a formal Agenda Item discussing the utilization of these units will be presented to the City Commission in January 2014.

Director Sanders requested staff include examples and discuss how the allocation of the available RAC units will affect future development within the forthcoming Agenda Item.

Chair Cooper stated that it is necessary to focus the allocation of Flexibility Units along the main City corridors and suggested the inclusion of a "use-it" or "lose-it" policy requirement to ensure the best use of these units.

Consensus:

- To direct staff to include examples and discuss how the allocation of the available RAC units will affect future development within the upcoming Agenda Item.
- To include the Flexibility Unit Allocation Checklist in the staff report.

5. PUBLIC PARTICIPATION - (Speakers must sign-in with the City Clerk prior to the start

of the meeting).

Murvin Wright, 419 NW 10th Street, Hallandale Beach, stated that he recently attended a seminar conducted by the Florida Redevelopment Association (FRA) and suggested holding brainstorming sessions among City staff and members of the HBCRA Citizens Advisory Boards and HBCRA District to share information.

6. DIRECTOR COMMUNICATIONS - Items not on the Agenda

A. DIRECTOR JULIAN

Director Julian had no Communications.

B. DIRECTOR LAZAROW

Director Lazarow had no Communications.

C. DIRECTOR SANDERS

Director Sanders suggested the HBCRA sponsor a booth at the next Florida Redevelopment Association event.

At the request of Director Sanders, the Board of Directors discussed various items presented on the Executive Director Follow-up Memorandum from the October 14, 2013. CRA Director Rosemond answered questions posed by the Board of Directors.

Answering questions posed by the Board of Directors, Acting Executive Director Rafols noted that based on review of the information submitted by DeAngelo Development for the In-Fill Affordable Housing Project (RFP#FY2012-2013-CRA003), the HBCRA Attorney has advised that the documents are not legally sufficient and should not be relied upon. Therefore, staff is recommending a formal Motion by the Board of Directors to rescind the Agreement with this entity.

MOTION BY CHAIR COOPER TO RESCIND THE EXISTING AGREEMENT WITH DEANGELO DEVELOPMENT FOR THE IN-FILL AFFORDABLE HOUSING PROJECT (RFP#FY2012-2013-CRA003).

Director Julian Seconded the Motion for discussion.

Answering questions posed by HBCRA Board of Directors, CRA Director Rosemond recommended delaying the award of the remaining affordable housing lots pending completion of construction on the existing lots by Stuart and Shelby Development to determine if the quality of the product is in the best interest of the HBCRA.

Chair Cooper opened the floor to public comment.

Willie McNair, DeAngelo Development, stated that they were not previously informed that the documents submitted were not legally sufficient and requested clarification on the basis for this determination. Additionally, Mr. McNair stated that he did not believe his organization was treated fairly throughout the process.

Acting Executive Director Rafols interjected by stating that all the RFP requirements were applied equally and fairly.

There being no further discussion by the Board of Directors, Chair Cooper called the Question.

MOTION BY CHAIR COOPER, SECONDED BY DIRECTOR JULIAN, TO RESCIND THE EXISTING AGREEMENT WITH DEANGELO DEVELOPMENT FOR THE IN-FILL AFFORDABLE HOUSING PROJECT (RFP#FY2012-2013-CRA003). The Motion carried on a 3/2 Voice Vote (Commissioner Sanders and Vice Chair Lewy voted No)

At the request of Director Sanders, the Board of Directors discussed the need to amend the HBCRA's process for drafting and issuing Request for Proposals (RFPs).

Answering questions posed by Chair Cooper, Attorney Resnick confirmed that the HBCRA may adopt alternative procurement practices from those of the City.

Chair Cooper suggested scheduling a workshop to discuss the HBCRA's RFP process.

Director Sanders noted that he is concerned with some of the processes with the HBCRA operations and he does not believe they are adequately meeting the needs of the community. Further, Director Sanders stated that there is a need for better communication and better community outreach, and also suggested reevaluation of the existing Governance structure of the HBCRA along with the processes of the HBCRA.

Director Lazarow spoke in support of a full-time CRA Director position noting that the HBCRA requires the dedication of a single individual rather than one with shared responsibilities.

Acting Executive Director Rafols pointed out that staff will also use this opportunity to apprise the Board of Directors of the service enhancements and operational efficiencies that are currently being worked on by the HBCRA staff.

Chair Cooper and Director Sanders suggested scheduling a Visioning Session upon the return of Executive Director Miller from her leave of absence.

Consensus:

- To direct staff to schedule a Visioning Session/Special Meeting of the HBCRA Board of Directors to discuss the Procurement Process, Governance Structure of the HBCRA and staff's recommendations for improvement of HBCRA operations.

Acting Executive Director Rafols noted that staff will provide alternative dates for the requested Visioning Session/Special Meeting and a Draft Agenda for review when ready.

D. VICE CHAIR LEWY

Vice Chair Lewy had no Communications.

E. CHAIR COOPER

Chair Cooper had no Communications.

7. HBCRA ATTORNEY COMMUNICATIONS - Items not on the Agenda

HBCRA Attorney Resnick had no Communications.

8. EXECUTIVE DIRECTOR COMMUNICATIONS - Items not on the Agenda

Acting Executive Director Rafols stated that staff will be presenting recommendations for the award of RFP #FY2012-2013-CRA-004 for Developer Qualifications Public Private Development of CRA Property Foster Road and North Dixie Highway at the December 16, 2013 HBCRA Board of Directors Meeting.

9. APPROVAL OF DRAFT MINUTES

A. OCTOBER 14, 2013 REGULAR BOARD OF DIRECTORS MEETING

Director Sanders pulled Item #10.A from the Consent Agenda for discussion.

10. CONSENT AGENDA

MOTION BY VICE CHAIR LEWY, SECONDED BY DIRECTOR SANDERS TO APPROVE ITEM #10.B. ON THE CONSENT AGENDA. The Motion carried on a 5/0 Voice vote.

- A. A RESOLUTION OF THE CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING THE FUNDING OF CHANGE ORDERS SUBMITTED BY LANZO CONSTRUCTION IN THE AMOUNT OF \$768,515, AND CALVIN GIORDANO AND ASSOCIATES, INC. IN THE AMOUNT OF \$163,855 USING CRA FUNDS PREVIOUSLY ALLOCATED TO THE NE QUADRANT DRAINAGE IMPROVEMENT PROJECT; AND PROVIDING AN EFFECTIVE DATE. (STAFF: DIRECTOR OF PUBLIC WORKS, UTILITIES & ENGINEERING) (SEE BACKUP)

Director Sanders spoke concerning the Community Benefit Plan (CBP) for the NE Drainage Project and requested staff to provide a report outlining the expenditures and activities completed under the CBP.

Answering questions posed by Director Lazarow, Acting Executive Director Rafols stated that although the CBP was not a requirement within the RFP, Lanzo Construction has agreed to designate five (5%) of the total project cost to the Community Benefit Plan. Director Rosemond explained that the CBP includes the use of local business enterprise/small business enterprise involvement, workforce development, and community outreach.

Consensus:

- To direct staff to provide a report outlining the expenditures and activities completed under the CBP as of October 31, 2013.

MOTION BY VICE CHAIR LEWY, SECONDED BY DIRECTOR LAZAROW, TO APPROVE A RESOLUTION OF THE CHAIR AND BOARD OF DIRECTORS

OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING THE FUNDING OF CHANGE ORDERS SUBMITTED BY LANZO CONSTRUCTION IN THE AMOUNT OF \$768,515, AND CALVIN GIORDANO AND ASSOCIATES, INC. IN THE AMOUNT OF \$163,855 USING CRA FUNDS PREVIOUSLY ALLOCATED TO THE NE QUADRANT DRAINAGE IMPROVEMENT PROJECT; AND PROVIDING AN EFFECTIVE DATE. The Motion carried on a 5/0 Voice vote.

- B. A RESOLUTION OF THE CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY, HALLANDALE BEACH, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE PURCHASE AND SALE AGREEMENT FOR THE PURCHASE THE REAL PROPERTY LOCATED AT 813 NW 3 TERRACE, HALLANDALE BEACH, FL 33009 FOR THE APPRAISED VALUE OF \$7,000; AND PROVIDING AN EFFECTIVE DATE. (STAFF: DEPUTY CITY MANAGER/HBCRA DIRECTOR) (SEE BACKUP)

11. AGENCY BUSINESS

- A. A RESOLUTION OF CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY, HALLANDALE BEACH, FLORIDA; APPROVING THE HBCRA POLICY MANUAL FOR ALL INCENTIVE PROGRAMS OFFERED BY THE AGENCY; AND PROVIDING AN EFFECTIVE DATE. (STAFF: DEPUTY CITY MANAGER/HBCRA DIRECTOR) (SEE BACKUP)

CRA Director Rosemond presented an overview of the changes made to the Policy Manual as directed at the October 14, 2013 Board of Directors meeting and answered questions posed by the Board of Directors.

MOTION BY VICE CHAIR LEWY TO APPROVE A RESOLUTION OF THE CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY, HALLANDALE BEACH, FLORIDA; APPROVING THE HBCRA POLICY MANUAL FOR ALL INCENTIVE PROGRAMS OFFERED BY THE AGENCY; AND PROVIDING AN EFFECTIVE DATE.

Director Julian Seconded the Motion for discussion.

Answering questions posed by the Board of Directors, Director Rosemond provided reassurance that the Policy manual may be amended as necessary from time-to-time.

Chair Cooper suggested staff amend the Policy manual to include language that will allow the Agency to exercise its right of first refusal on properties that may be facing foreclosure.

Consensus:

- To direct staff to amend the Policy manual to include language that will allow the Agency to exercise its right of first refusal on properties that may be facing foreclosure

The Board of Director discussed additional changes to the HBCRA Policy Manual and reached the following consensus:

Consensus:

- To direct staff to remove the matching grant criteria for Mini-grants that are available for available for façade improvements

At the request of Director Sanders, CRA Director Rosemond provided an overview of the Home Replacement Program

Answering Questions posed by Director Sanders, CRA Director Rosemond stated that as long as the property owner remains in the property for five (5) years then up to \$75,000 is 100% forgiven.

Consensus:

- To amend the Policy Manual to clarify the requirements for the Home replacement program indicating that as long as the property owner remains in the property for five (5) years then up to \$75,000 is 100% forgiven.

After further discussion by the Board of Directors, Chair Cooper called the Question.

MOTION BY VICE CHAIRLEWY, SECONDED BY DIRECTOR JULIAN, TO APPROVE A RESOLUTION OF THE CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY, HALLANDALE BEACH, FLORIDA; AS AMENDED, APPROVING THE HBCRA POLICY MANUAL FOR ALL INCENTIVE PROGRAMS OFFERED BY THE AGENCY; AND PROVIDING AN EFFECTIVE DATE. The Motion carried on a 5/0 Voice vote.

B. A RESOLUTION OF CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY, HALLANDALE BEACH, FLORIDA; AUTHORIZING THE EXECUTIVE DIRECTOR TO APPROVE A PAYMENT PLAN WITH EDWIN & JOYCE STANLEY D/B/A FOSTER ROAD LAUNDRY FOR THE COMMERCIAL CODE COMPLIANCE LOAN EXECUTED BY THE PROPERTY OWNERS IN MAY, 2002 AND EXECUTING ALL APPROPRIATE DOCUMENTS TO REFLECT THE NEGOTIATED PAYMENT PLAN; AND PROVIDING AN EFFECTIVE DATE.(STAFF: DEPUTY CITY MANAGER/HBCRA DIRECTOR) (SEE BACKUP)

MOTION BY DIRECTOR LAZAROW, SECONDED BY VICE CHAIR LEWY, TO APPROVE A RESOLUTION OF THE CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY, HALLANDALE BEACH, FLORIDA; AUTHORIZING THE EXECUTIVE DIRECTOR TO APPROVE A PAYMENT PLAN WITH EDWIN & JOYCE STANLEY D/B/A FOSTER ROAD LAUNDRY FOR THE COMMERCIAL CODE COMPLIANCE LOAN EXECUTED BY THE PROPERTY OWNERS IN MAY, 2002 AND EXECUTING ALL APPROPRIATE DOCUMENTS TO REFLECT THE NEGOTIATED PAYMENT PLAN; AND PROVIDING AN EFFECTIVE DATE. The Motion carried on a 5/0 Voice vote.

C. A RESOLUTION OF CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING THE

NEGOTIATION OF A DOWNPAYMENT ASSISTANCE RECIPIENT IN THE AMOUNT OF \$3,000; AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE AGREEMENT TO ACCEPT A LESSER AMOUNT THAN THE \$35,000 PROVIDED FOR DOWN PAYMENT ASSISTANCE IN 2006; AUTHORIZING THE EXECUTIVE DIRECTOR TO TAKE ALL STEPS NECESSARY AND APPROPRIATE TO IMPLEMENT THE TERMS AND CONDITIONS OF THE THIS AGREEMENT; AND PROVIDING AN EFFECTIVE DATE. (STAFF: DEPUTY CITY MANAGER/HBCRA DIRECTOR) (SEE BACKUP)

Acting Executive Director Rafols introduced the Item and turned the presentation over to staff. Director Rosemond provided background information regarding the request and answered questions posed by the Board of Directors.

MOTION BY DIRECTOR JULIAN TO APPROVE A RESOLUTION OF THE CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING THE NEGOTIATION OF A DOWNPAYMENT ASSISTANCE RECIPIENT IN THE AMOUNT OF \$3,000; AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE AGREEMENT TO ACCEPT A LESSER AMOUNT THAN THE \$35,000 PROVIDED FOR DOWN PAYMENT ASSISTANCE IN 2006; AUTHORIZING THE EXECUTIVE DIRECTOR TO TAKE ALL STEPS NECESSARY AND APPROPRIATE TO IMPLEMENT THE TERMS AND CONDITIONS OF THE THIS AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Vice Chair Lewy Seconded the Motion for discussion.

At the request of Chair Cooper, the Board of Directors discussed the possibility of exercising the HBCRA's Right of First Refusal and purchase units in order to assist property owners who may be facing foreclosure.

Director Rosemond noted that certain provisions can be included as part of the First Time Homebuyers Program within the Policy Manual.

Refer to Action taken under Item #11.A.

After further discussion by the Board of Directors, Chair Cooper called the Question

MOTION BY DIRECTOR JULIAN, SECONDED BY VICE CHAIR LEWY, TO APPROVE A RESOLUTION OF THE CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING THE NEGOTIATION OF A DOWNPAYMENT ASSISTANCE RECIPIENT IN THE AMOUNT OF \$3,000; AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE AGREEMENT TO ACCEPT A LESSER AMOUNT THAN THE \$35,000 PROVIDED FOR DOWN PAYMENT ASSISTANCE IN 2006; AUTHORIZING THE EXECUTIVE DIRECTOR TO TAKE ALL STEPS NECESSARY AND APPROPRIATE TO IMPLEMENT THE TERMS AND CONDITIONS OF THE THIS AGREEMENT; AND PROVIDING AN EFFECTIVE DATE. The Motion carried on a 5/0 Voice vote.

D. A RESOLUTION OF CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY, HALLANDALE BEACH,

FLORIDA; AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE PRIME REALTY ADVISORY GROUP INC. ("PRAG") TO PROVIDE AFFORDABLE HOUSING COUNSELING SERVICES; AUTHORIZING THE EXECUTIVE DIRECTOR TO APPROPRIATE FUNDS AS NECESSARY; AND PROVIDING AN EFFECTIVE DATE. (STAFF: DEPUTY CITY MANAGER/HBCRA DIRECTOR) (SEE BACKUP)

MOTION BY DIRECTOR LAZAROW TO CHALLENGE THE DECISION OF THE CHAIR AND TO MOVE TO ITEM #11.A.

The Motion failed due to lack of a Second.

Chair Cooper spoke in support of awarding the contract to the second respondent on the basis of local vendor preference.

MOTION BY CHAIR COOPER TO AWARD RFP # 2012-2013-CRA 005, AFFORDABLE HOUSING SERVICES, TO THE SECOND RESPONDENT BASED ON THE LOCAL VENDOR PREFERENCE; AND TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH HOUSING FOUNDATION/SOUTH FLORIDA EDUCATIONAL DEVELOPMENT TO PROVIDE AFFORDABLE HOUSING COUNSELING SERVICES; AUTHORIZING THE EXECUTIVE DIRECTOR TO APPROPRIATE FUNDS AS NECESSARY; AND PROVIDING AN EFFECTIVE DATE.

Vice Chair Lewy Seconded the Item for discussion.

After further discussion by the Board of Directors, Chair Cooper called the Question.

MOTION BY CHAIR COOPER, SECONDED BY VICE CHAIR LEWY, TO AWARD RFP # 2012-2013-CRA 005, AFFORDABLE HOUSING SERVICES, TO THE SECOND RESPONDENT BASED ON THE LOCAL VENDOR PREFERENCE; AND TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH HOUSING FOUNDATION/SOUTH FLORIDA EDUCATIONAL DEVELOPMENT TO PROVIDE AFFORDABLE HOUSING COUNSELING SERVICES; AUTHORIZING THE EXECUTIVE DIRECTOR TO APPROPRIATE FUNDS AS NECESSARY; AND PROVIDING AN EFFECTIVE DATE. The Motion carried on a 5/0 Voice vote.

12. ADJOURN

There being no further business before the Board of Directors, Chair Cooper adjourned the Meeting at 8:52 P.M.

RESPECTFULLY SUBMITTED: Joy F. Cooper, Chair

RECORDING SECRETARY: Sheena James, Clerk to the HBCRA Board

APPROVED BY BOARD: December 16, 2013